

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA,
NORTHERN DIVISION

FRED L. PLUMP,

Plaintiff,

v.

HONORABLE BOB RILEY, as Governor of
the State of Alabama,

Defendant.

CIVIL ACTION NO.
2:07-cv-01014-MEF-CSC

Plaintiff's Motion to Amend Judgment (Doc. 29)

1. The Judgment (Doc. 29) appears to differ from the Order portion of the Court's Memorandum Opinion (Doc. 28).

2. It appears that the Memorandum Opinion (Doc. 28, page 9) intended to extend General George F. Bowman's term beyond 5 February 2008 only if the defendant gave notice that he was seeking preclearance.

3. The Judgment states in paragraph (2)a, "If the Defendant chooses not to seek preclearance, but instead to immediately appeal this Judgment, the Defendant shall so notify this court in writing on or before February 5, 2008. **In the absence of such notification**, the Jefferson County Commission seat currently occupied by General George F. Bowman shall be vacated on that date without further order of this court" (emphasis added).

4. Plaintiff understood the Memorandum opinion to vacate General Bowman's term if Governor Riley does **not** seek preclearance, but the highlighted words do the opposite.

5. For these reasons, the plaintiff prays that the Court amend

Paragraph (2)a of its Judgment to read as follows:

a. If the Defendant chooses not to seek preclearance, but instead to immediately appeal this Judgment, the Defendant shall so notify this court in writing on or before February 5, 2008. **If such notice is filed**, the Jefferson County Commission seat currently occupied by General George F. Bowman shall be vacated on **February 5, 2008**, without further order of this court.

Submitted by,

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CERTIFICATE OF SERVICE

I certify that on 23 January 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following attorneys:

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